

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE EASTERN DISTRICT OF CALIFORNIA  
3

4 **DAVID ANTHONY BREAUX,**

5 Petitioner,

6 **v.**

7 **RON DAVIS, Warden of San Quentin**  
8 **State Prison,**

9 Respondent.

10 2:93-cv-00570-JAM-EFB

11 **JOINT PROPOSED SCHEDULE AND**  
12 **STATUS REPORT**

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28 RON DAVIS, Warden, San Quentin State Prison

1       On January 5, 2016, this Court ordered the parties to submit by March 7, 2016, a joint  
2 proposed schedule and status report that shall include: (1) a proposed schedule for any  
3 depositions; (2) a proposed deadline for the filing of any pre-hearing motions that either party  
4 deems appropriate; and (3) proposed dates for the evidentiary hearing. (Docket Entry 290.) The  
5 parties met and conferred on scheduling issues regarding the joint proposed schedule and status report  
6 on March 1, 2016, and respectfully submit this joint statement in response to the Court's order.

7       First, the parties are in agreement and anticipate that depositions of lay and expert witnesses  
8 will be completed by March 31, 2017. More specifically, the parties anticipate that depositions  
9 will be completed as follows:

10       1. April 1, 2016 through May 31, 2016: depositions of 14 lay witnesses living within the  
11 Sacramento area.

12       2. June 1, 2016 through July 15, 2016: depositions of five lay witnesses living outside the  
13 Sacramento area, but within California.

14       3. July 18, 2016 through August 12, 2016: depositions of two lay witnesses living outside  
15 of California, one in Missouri and the other in Louisiana.

16       4. September 1, 2016 through November 30, 2016: depositions of Petitioner's six expert  
17 and/or professional witnesses.

18       5. By March 31, 2017: complete depositions of Respondent's expert witnesses.

19       Second, the parties are in agreement and anticipate that any pre-hearing motions that either  
20 party deems appropriate, including any opposition and reply, will be filed by July 17, 2017,  
21 provided the parties complete depositions by March 31, 2017, as outlined above.

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Third, the parties are in agreement and offer August 7, 2017 through August 11, 2017, as proposed dates for the evidentiary hearing, during which the parties anticipate that eight or nine witnesses will testify live.

Dated: March 7, 2016

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Dated: March 7, 2016

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